

Approved by: \_\_\_\_\_

JULIA MCCORMICK  
Special Assistant United States Attorney

Before: THE HONORABLE MARTIN R. GOLDBERG  
United States Magistrate Judge  
Southern District of New York

19 MJ 9041

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UNITED STATES OF AMERICA

: MISDEMEANOR  
: COMPLAINT

-v-

: Violation of  
: 38 C.F.R. 1.218(a)(7)

WILLIAM A. JAMES  
~~JAMES A. WILLIAM~~

Defendant

: COUNTY OF OFFENSE:  
: WESTCHESTER  
: -----x

SOUTHERN DISTRICT OF NEW YORK, ss:

ANTHONY LUCIANO, being duly sworn, deposes and says that he is a Police Officer, assigned to the Department of Veterans Affairs Police Service, Montrose Veterans Administration Hospital, Montrose, New York, which is located in the Southern District of New York, and charges as follows:

COUNT ONE

On or about July 4, 2019, at the Montrose Veterans Administration Hospital, Montrose, New York, within the special maritime and territorial jurisdiction of the United States, in the Southern District of New York, JAMES A. WILLIAM, the defendant, unlawfully, knowingly and willfully entered on the Veterans Administration property under the influence of alcohol, to-wit: the defendant reported to work intoxicated.

(38 Code of Federal Regulations, 1.218(a)(7))

The basis for the deponent's knowledge and for the foregoing charges are, in part, as follows:

1. I am a Police Officer, assigned to the Department of Veterans Affairs Police Service, Montrose Veterans

Administration Hospital, Montrose, New York, which is located in the Southern District of New York.

2. Upon information and belief, on or about July 4, 2019 at approximately 1:33 p.m., VA Food Service Supervisor, Craig Ford, contacted police reference an employee, identified as the defendant, that was intoxicated on duty.

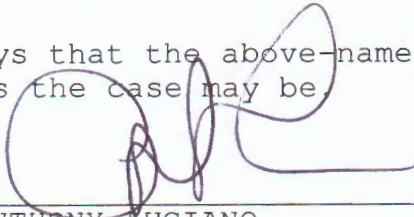
3. Officer's Giebler and SGT Warner responded to building 5 and observed outside smoking. They escorted him back inside to get more information. Inside they spoke with Ford who stated that the defendant was unsteady on his feet, gave off a strong odor of alcohol, and had slurred speech. Ford stated he had the defendant sit in the locker room awaiting police arrival for fear he would drive off in his car.

4. The defendant was asked by the police how much he had to drink prior to coming to work and the defendant responded that he drank one 23 oz can of Rolling Rock. The defendant stated he drove to work that morning.

5. The defendant was arrested and taken to the police station for booking and processing. At the police station, the defendant was given a breathalyzer and blew a .115. The defendant was advised of his rights and he made the following written statement, "I had one beer and Mr. Ford told me to take a seat in the locker room. If I would have never stay at work."

6. The defendant was fingerprinted and photographed and issued a United States District Court Violation Notice for Entering VA property under the influence of alcohol (DCVN Number 9044079/SY53).

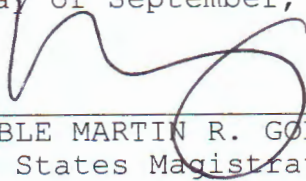
**WHEREFORE**, deponent prays that the above-named defendant be imprisoned or bailed, as the case may be.



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ANTHONY LUCIANO  
VA Police Service

Sworn to before me this  
26th day of September, 2019



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HONORABLE MARTIN R. GOLDBERG  
United States Magistrate Judge  
Southern District of New York